

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

SHANNON ALLRED,

Plaintiff,

v.

Case No. 6:19-cv-726-Orl-37EJK

CARY W. GRAHAM; and THE
REFINISHING COMPANY, LLC,

Defendants.

ORDER

Plaintiff sued Defendants for failure to pay minimum wage under the Fair Labor Standards Act (“**FLSA**”) and breach of contract. (*See* Doc. 1.) When Plaintiff’s counsel withdrew, U.S. Magistrate Judge Embry J. Kidd advised Plaintiff of the responsibilities of *pro se* litigants. (Docs. 24–26.) Magistrate Judge Kidd also ordered Plaintiff to show cause why he should not recommend sanctions, including dismissal, for failure to answer the Court’s interrogatories as required under the FLSA scheduling order. (Doc. 27 (“**Show Cause Order**”).) Plaintiff didn’t respond to the interrogatories or Show Cause Order, so Magistrate Judge Kidd recommends dismissing the case for want of prosecution under Local Rule 3.10, finding Plaintiff failed to comply with Court orders and has not otherwise indicated she wishes to proceed with this case. (Doc. 30 (“**R&R**”).)

The parties did not object to the R&R, and the time for doing so has now passed. As such, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan 28, 2016); *see*

also *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no such error, the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Embry J. Kidd's Report and Recommendation (Doc. 30) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. Plaintiff's Complaint (Doc. 1) is **DISMISSED** for want of prosecution under Local Rule 3.10. If Plaintiff wishes to further pursue her claims, she must initiate a new action.
3. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on January 28, 2020.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record
Pro Se Party